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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO | | |
|-----------------|-------------------|----------------------|---------------------|-----------------|--|--|
| 10/632,268 | 07/31/2003 | Christian T. Gregory | 42922-RBRES | BRES 5487 | | |
| . 759 | 90 03/07/2005 | | EXAM | INER | | |
| John D. Bauers | sfeld | | KIM, CHRIS | TOPHER S | | |
| KELLY BAUEI | RSFELD LOWRY & KE | LLEY, LLP | | • | | |
| Suite 1650 | | | ART UNIT | PAPER NUMBER | | |
| 6320 Canoga Av | venue | | 3752 | • | | |
| Woodland Hills | | | | _ | | |

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | • | Appli | cation No. | Applicant(s) | | | |
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| • | | 10/63 | 32,268 | GREGORY ET AL. | | | |
| | Office Action Summary | Exam | niner | Art Unit | | | |
| | | Chris | topher S. Kim | 3752 | | | |
| Period fo | - The MAILING DATE of this commur r Reply | ication appears of | n the cover sheet with the c | orrespondence addres | SS | | |
| A SHO THE N - Exten after S - If the - If NO - Failur Any re | DRTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN sions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this come period for reply specified above is less than thirty (i period for reply is specified above, the maximum se e to reply within the set or extended period for reply pply received by the Office later than three months d patent term adjustment. See 37 CFR 1.704(b). | ICATION. s of 37 CFR 1.136(a). In nunication. 30) days, a reply within th atutory period will apply y will, by statute, cause th | no event, however, may a reply be ting the statutory minimum of thirty (30) day and will expire SIX (6) MONTHS from the application to become ABANDONE | nely filed s will be considered timely. the mailing date of this commu D (35 U.S.C. § 133). | unication. | | |
| Status | | | | | | | |
| 2a)□ 3)□ | Responsive to communication(s) file This action is FINAL. Since this application is in condition closed in accordance with the pract | 2b)⊠ This actior for allowance ex | n is non-final. cept for formal matters, pro | | erits is | | |
| Disposition | on of Claims | | | | | | |
| 5)□ 6)⊠ 7)□ | 4) ☐ Claim(s) 1-26 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-26 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. | | | | | | |
| Application | on Papers | | · | • | | | |
| 10) 🗌 - | The specification is objected to by the drawing(s) filed on is/are Applicant may not request that any objected the Replacement drawing sheet(s) including the oath or declaration is objected the specific terms. | ection to the drawing the correction is r | g(s) be held in abeyance. Se equired if the drawing(s) is ob | ee 37 CFR 1.85(a). pjected to. See 37 CFR 1 | | | |
| Priority u | inder 35 U.S.C. § 119 | | | | | | |
| a)[| Acknowledgment is made of a claim All b) Some * c) None of: 1. Certified copies of the priority 2. Certified copies of the priority 3. Copies of the certified copies application from the International Cee the attached detailed Office actions | or documents have or documents have of the priority document of the priority document. | e been received. e been received in Applicat cuments have been receiv Rule 17.2(a)). | tion No ed in this National Sta | age | | |
| 2) Notice 3) Inform | e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (nation Disclosure Statement(s) (PTO-1449 o r No(s)/Mail Date <u>8/28/03</u> . | | 4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal 6) Other: | | 52) | | |

Application/Control Number: 10/632,268

Art Unit: 3752

DETAILED ACTION

Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "short" in claims 1, 9, 11, 15 and 21 is a relative term which renders the claim indefinite. The term "short" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is uncertain what distance is being defined by "short."

Regarding claims 1, 8, 10, 13, 15, 19 and 21 the recitation "-like" renders the claim indefinite. The metes and bounds of the claim cannot be determined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

⁽b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1, 6-14, are rejected under 35 U.S.C. 102(b) as being anticipated by Nees (3,266,737).

It is noted that claim 1 recites "a plurality of ramps" in line 10, but claim 2 recites "said ramps each have a selected different declination angle." Similarly, claim 3 recites "said ramps are arranged in a side-by-side array along said lower margin of said nozzle outlet, and further wherein each one of said ramps has a declination angle different from each the declination angle of each ramp adjacent thereto." Claims 2 and 3 support the proposition that claim 1 can define a plurality of ramps which are side by side having the same declination angle. In essence, such a configuration would result in one ramp.

Nees discloses a nozzle comprising: a nozzle body 12; a plurality of ramps 56.

5. Claims 1-26, are rejected under 35 U.S.C. 102(b) as being anticipated by Hegstad (2,778,687).

Hegstad discloses a nozzle comprising: a nozzle body 10; a nozzle outlet 13; a front face plane (outside surface parallel with surface 23); a plurality of ramps 29, 31

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. Kim whose telephone number is (571) 272-4905. The examiner can normally be reached on Monday - Thursday, 6:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on (571) 272-4919. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have guestions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Christopher S. Kim **Primary Examiner** Art Unit 3752

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Approved for use through 10/312002. OMB 0651-0031

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| | | | | | First Named Inventor | Christian T. Gregory |
| (| use as man | y sheets | as | necessary) | Group Art Unit | |
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| Sheet | 1 | ol | | 1 | Attorney Docket Number | 42922-RBRES |

| Examiner Initials | Cite No. | Patent Number Number Kind Code (If known) | | tion Date D-YYYY | | of Patentee or of Cited Document | F | ages, Columns, Lines Where Relevant Passages of Relevant Figures Appear | |
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